

Appl. No. 10/758,997
Docket No. P155
Amdt. dated October 22, 2007
Reply to Office Action mailed on September 20, 2007
Customer No. 27752

REMARKS

Claim Status

Claims 1 – 39 are pending in the present application. No additional claims fee is believed to be due. Claims 9 – 14, 28 – 33 and 39 have been withdrawn as a result of a restriction requirement. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Response to Requirement for Restriction of Inventions

The Examiner has required, under 35 USC §121, election of a single disclosed invention for prosecution on the merits. The Examiner has grouped the claims of the current application into three inventions. Invention I, comprising claims 1 – 8, 15 – 27 and 34 – 38, drawn to a liquid composition comprising a medicament, a flavorant and water, as well as a kit housing said composition; Invention II, comprising claims 9 – 14 and 28 – 33, drawn to a method of treating a condition comprising orally administering a composition; and Invention III, comprising claim 39, drawn to a process for manufacturing a liquid composition comprising admixing a medicament, a flavorant and water followed by sterilization. Applicants elect to prosecute Invention I, claims 1 – 8, 15 – 27 and 34 – 38. This election is made without traverse. Claims 9 – 14, 28 – 33 and 39 have been withdrawn as being drawn to a non-elected invention. Applicants reserve the right to prosecute claims 9 – 14, 28 – 33 and 39 in continuing applications.

Response to Requirement for Election of Species

The Office Action states that with respect to Group I the present application contains claims directed to patentably distinct species, the compounds listed in claims 6 – 8 and claims 25 - 27. The Office Action further states that Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant elects the medicament to be lufenuron for the examination and prosecution of claims 6 and 25, which are dependent upon claims 4 and 23, respectively. Applicant elects the medicament to be ivermectin for the examination and prosecution of

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claims 7 and 26, which are dependent upon claims 4 and 23, respectively. Applicant elects the medicament to be an antibody for the examination of claims 8 and 27, which are dependent upon claims 4 and 23, respectively.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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